SGI

Personal Auto Injury Insurance

Your Guide to No Fault Coverage 2010

driver's licence

basic auto insurance

Your reference page

Injury claim number _____

Vehicle damage claim number _____

Date of collision _____
day / month / year

Personal injury representative

Name _____

Telephone number _____

Vehicle damage claim adjuster

Name _____

Telephone number _____

How this guide can help you

If you or a member of your family has been injured in an automobile collision, this guide will help you through the process as you file a claim for benefits under your Personal Auto Injury No Fault Coverage. It contains information on the types of benefits you may be eligible to receive, how to fill out the Application for Injury Benefits and more. Even after you've filed your Application for Injury Benefits with SGI, keep this guide on hand throughout your claim for easy reference.

The role of your Personal Injury Representative

Please remember this booklet is only a guide. Your situation is personal to you. It's not possible for any guide to answer every question specific to your particular situation. That's where our staff can help. If you have a question this guide doesn't answer, contact your Personal Injury Representative – they're here to help you through the claim process every step of the way.

Your Personal Injury Representative acts as your case manager and works with you and your health care providers to ensure you receive all the benefits to which you're entitled. Please be assured that your Personal Injury Representative will do everything possible to ensure you receive your benefits as soon as possible.

Working together, we'll make sure you get the help you need.

Key No Fault benefits

No Fault Coverage provides a comprehensive package of benefits to Saskatchewan residents injured in motor vehicle collisions, regardless of who's responsible for the crash. It means you're eligible to receive the benefits summarized below even if you're responsible for a collision or have a single-vehicle crash.

Income benefit (p. 5)

- If your injury prevents you from performing all or most of the essential duties of your employment at the time of the collision, you'll be reimbursed for lost wages. If you're self-employed, you may hire substitute workers.
- The income benefit is based on the income you were earning before the collision. You'll receive 90 per cent of your net income, up to a maximum amount (see line 1 of the benefits table, page 26).
- An income benefit is also provided for caregivers, students and non-earners.
- If you're unable to care for your dependants, SGI will pay someone to care for them.
- If your injuries still prevent you from returning to your former employment two years after your collision, SGI will work with you to determine the type of employment you're now able to hold. If it pays less than your former job, SGI will top up your income to its previous level.
- If you're unable to work for two years or more, SGI will also calculate a lump sum pension payout for you, payable when you return to work or at age 65.

Rehabilitation (p. 11)

- The goal of rehabilitation is to help you return to the way of life you had before the collision. SGI will cover the costs of your treatment.
- You choose a doctor, chiropractor or physiotherapist to be your primary caregiver. That person is in charge of your treatment and will manage your rehabilitation plan to meet your specific needs.

Medical, travel and personal expenses (p. 13)

- In addition to your other benefits, SGI covers the costs of medical expenses incurred as a result of the collision, as well as other personal and travel expenses associated with your treatment and rehabilitation.

Living assistance (p. 15)

- If you're unable to perform the normal activities of your everyday life because of your injuries, SGI will pay for you to hire someone to care for you and your home while you recover.

Permanent impairment payment (p. 16)

- If you suffer a permanent impairment as a result of a motor vehicle collision, you may receive a one-time payment in addition to the other benefits to which you're entitled.

Death benefits (p. 17)

- SGI provides a benefit to the surviving spouse and/or dependent children of a person killed in a motor vehicle collision. You can choose to receive the benefit in a lump sum or in bi-weekly payments.
- SGI also covers funeral expenses and some counselling costs during this traumatic time.

The appeal process (p. 20)

- If you don't agree with SGI's assessment of your benefits, you can participate in mediation and/or take the matter to either the Automobile Injury Appeal Commission or the Court of Queen's Bench.

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Your No Fault Coverage

Who's covered?

Under your Personal Auto Injury No Fault Coverage, injury benefits are provided regardless of fault. That means you're eligible for injury benefits even if you're responsible for a collision or have a single-vehicle crash. No Fault covers you if you're injured in an automobile collision anywhere in Canada or the United States. Non-residents of Saskatchewan injured in collisions here are also eligible for coverage to the extent that they're not at fault for a collision. No Fault Coverage restricts your right to sue for pain and suffering in most cases. It also means you can't be sued for pain and suffering in most cases.

It's important to note that fault is still assessed in collisions and drivers who are responsible for motor vehicle crashes may be assessed a financial penalty through the Safe Driver Recognition program. In addition, drivers who are responsible for a collision must pay the deductible for damage to their vehicle and their insurance must pay the deductible of the other driver.

You have two years from the date of your collision to file an injury claim.

Who's not covered?

You won't receive the full package of benefits in the following circumstances:

- If you're responsible for the collision and found to be impaired by alcohol or drugs at the time of the crash, you'll be denied a permanent impairment payment.
- If it's your second conviction for impaired driving in the last five years, or you're convicted of deliberately using your vehicle to harm another person or property, you'll be denied both an income benefit and a permanent impairment payment.
- If you're entitled to Workers' Compensation benefits.

Can I sue?

Since No Fault injury benefits are provided regardless of fault or collision circumstances, there are limited circumstances where a person injured in a motor vehicle has the right to sue.

Economic loss

- Under No Fault Coverage, an injured person not responsible for the collision can sue the responsible party for all expenses not covered by the plan. For example, if you earn more than the maximum amount provided (see amount on line 1 of the benefits table, page 26) you can sue for the difference between your salary and the benefits available.
- You can also sue for any losses in excess of the benefits you would normally receive from the Workers' Compensation Board.

Pain and suffering

In limited cases, No Fault Coverage allows someone injured in a motor vehicle collision to sue for pain and suffering, such as:

- If you're injured or killed as a result of a collision where the responsible driver is convicted of impaired driving, you have the right to sue that impaired driver for pain and suffering or your dependants have the right to sue for grief and loss of care, guidance and companionship.

- If you're injured or killed as a result of a collision where the responsible driver is convicted of using a vehicle to deliberately harm the injured person, you have the right to sue the convicted driver for pain and suffering or your dependants have the right to sue for grief and loss of care, guidance and companionship.
- An injured person can sue for pain and suffering against certain institutional third parties whose negligence contributes to a crash. Third parties that can be held liable include vehicle manufacturers, repairers and suppliers of parts and licensed drinking establishments. A claim against these parties wouldn't involve SGI. If you think you may be entitled to sue one of these parties, you may want to seek legal advice.

If any of the other scenarios apply to you, please contact your Personal Injury Representative for assistance.

In all cases, if you wish to sue the responsible party (or parties), you must start this action within two years of the date of the collision.

Can I be sued?

Those you injure can sue you for the difference between their package of auto injury benefits and their actual expenses. In most cases those injured can't sue you personally for pain and suffering. However, if you've been convicted of impaired driving or have deliberately harmed someone with your vehicle, they can sue you for pain and suffering as well. In the event of a death, the dependant of the deceased can sue for grief and loss of care, guidance and companionship.

Filing your claim for benefits

You'll need to complete the Application for Injury Benefits in order to receive benefits. Please answer all questions that apply to you. The application must be dated, signed and returned to your Personal Injury Representative.

Claims must be filed within two years of the date of the collision. However, the sooner you act, the sooner SGI can begin to process your request for benefits to ensure you begin receiving benefits quickly.

Three types of claim forms

There are three types of forms for benefits. Two are for persons injured (Application for Injury Benefits and Application for Injury Benefits – Income Loss) and the third is for fatalities (Application for Death Benefits).

Filling out the form

Please refer to pages 21 - 24 of this guide.

If your state of health prevents you from completing the form or if you would like assistance, please call your Personal Injury Representative, whose name and telephone number are on the inside front cover of this guide. You can also call our office at one of the phone numbers listed on page 25.

Once you've completed the application, please attach any documents that are required. If you receive documents needed to process your claim after you've sent your application to SGI, write your injury claim number on each document and forward them to your Personal Injury Representative. Your injury claim number appears on the first page of this guide (page i).

You can mail your completed benefit application form(s) to your Personal Injury Representative or you can call them to set up a meeting.

How will your claim be handled?

Your Personal Injury Representative will review your completed benefit application form(s). Based on the information provided, your Personal Injury Representative will ensure you receive all the benefits you're entitled. The length of time for this assessment can vary, depending on the supporting documentation that's required (it could include a medical practitioner's report form, verification of earnings, etc.).

What amount will you receive and how soon?

All benefits provided by No Fault Coverage are listed on page 26. This table lists maximum benefit amounts payable. Each claim is unique and the amount payable won't be the same for each claim.

For example, if you qualify for an income benefit, the amount of benefit you receive will depend on the income you were earning, the number of dependants you have and so on. Reimbursement of expenses depends on the amount being claimed and the supporting documentation provided.

Your Personal Injury Representative will ensure you receive all the benefit amounts for which you're eligible after necessary information is obtained. Please be assured that your Personal Injury Representative will do everything possible to ensure you receive your benefits in a timely manner. If all documents aren't yet received, your Personal Injury Representative may advance you funds so that you can cover your early expenses and usual bills.

Changes in your circumstances

There can be key changes to your situation, such as a new dependant, that may affect your benefits. If your circumstances change, please bring it to the attention of your Personal Injury Representative. New information may change the amount of benefits to which you're entitled. Your Personal Injury Representative will ensure you're receiving the correct benefits.

Collecting additional losses

If you have costs above your No Fault benefits or the circumstances of your collision mean you can sue for pain and suffering, the first step in collecting a settlement is negotiating with the insurance company of the responsible person. If you're unable to reach a settlement this way, you can take your claim to court. You have two years from the date of the collision to file a statement of claim at a courthouse. You can choose to represent yourself or you may hire a lawyer to assist you with your court action.

What if you're not satisfied with a decision?

If you disagree with a decision made by SGI, you can take the matter to either the Automobile Injury Appeal Commission or the Court of Queen's Bench. There's also an optional mediation process. This process is explained in detail on page 20 of this guide.

Income benefit

If you've been injured in a motor vehicle collision, and that injury prevents you from performing all or most of the essential duties of your employment at the time of the collision, you'll receive an income benefit.

The income benefit is based on your employment status at the time of your collision and replaces the salary you would be earning. Except in cases of the most serious or catastrophic injuries, the income benefit is usually a temporary measure to compensate for your lost wages while you recover from your injuries.

The income benefit ends when you can return to the work you were doing at the time of the collision or begin to earn income at the same level as at the time of your crash.

When is the income benefit paid?

The income benefit is paid every two weeks and is increased annually by the Consumer Price Index.

- **For someone who was working at the time of the collision** – the income benefit begins seven days following the crash. This seven-day waiting period is waived in cases of catastrophic injury. If you're catastrophically injured, your income benefit begins from the date of the collision. A catastrophic injury could include quadriplegia, paraplegia, severe brain injury or total blindness.
- **For someone who could've been working at the time of the collision, but wasn't** – the income benefit begins 180 days following the crash if you're still unable to perform the activities of daily living because of injuries from the collision.
- **For someone who was regularly incapable of working before the collision** – you're not eligible to receive an income benefit. For example, if you've a pre-existing condition and are already receiving Canada Pension Plan disability benefits because you've been considered unemployable, you wouldn't be eligible for an income benefit.

How is the income benefit calculated?

The income benefit is based on the net income you were earning before the collision and covers 90 per cent of that net income. Net income is determined by deducting income tax, Employment Insurance contributions and Canada Pension Plan contributions from your total (gross) income. The maximum total (gross) income you can claim is shown on line 1 of the benefits table (page 26). Income benefits, like other insurance benefits, aren't taxable.

If you're able to return to work at reduced hours, a reduced income benefit will still be paid to you. As well, an income benefit will be paid for time taken to attend medical appointments during work hours.

If you earn more than the maximum income you can claim and the other party is responsible for the collision, you can sue them for the difference between your income and the maximum income you can claim, less any other payments you've received from other insurance policies. You can't sue for the 10 per cent of net income not paid by your No Fault Coverage or for income lost during the first seven days following the collision.

If you're eligible for Canada Pension Plan disability payments, you must apply for them and report that income, as well as any other employment income, so that these can be deducted from your income benefit.

Reassessment after 180 days

If you still require an income benefit 180 days after a collision, you can have your income benefit reassessed at that time. You may want reassessment if your average wage in the two years prior to the collision was higher than your actual wage at the time of the collision.

Your reassessed income benefit will be based on the greater of the income benefit level you received for the first 180 days, your average annual income in the two years prior to the collision or minimum wage, if you're not a seasonal earner.

If you're a seasonal earner and you're still receiving an income benefit 180 days after your collision, your income benefit will be reassessed at that time to reflect your average wage for the two years prior to the collision or minimum wage. If you haven't worked in the two years prior to your collision, your income benefit will be reassessed using a scheduled amount based on average Saskatchewan income for your occupation and level of experience and will be at least minimum wage if you were able to work full time.

Income benefit calculations

Salaried earners

The income benefit for a salaried earner is based on employment at the time of the collision. However, if you can show you would likely have earned a greater sum in the year prior to the collision, the income benefit will be based on that sum. Please contact your Personal Injury Representative if you feel this applies to you.

The income benefit covers 90 per cent of the net income you were earning before the collision. Net income is determined by deducting income tax, Employment Insurance and Canada Pension Plan contributions from your total (gross) income.

Your total (gross) income is calculated by taking the amount you earned in your last pay period, multiplied by the number of pay periods in a year, plus any regular benefits you received. For example, if you're paid $500 every week, and you're paid 52 times a year, 52 x $500 gives you a total (gross) income of $26,000 for the year, plus any regular benefits you received in the 52 weeks before the collision. Benefits include overtime, shift differential and other payments you may receive or that are paid on your behalf by your employer.

Any money you would've received from Employment Insurance or the National Training Act if not for the collision will be taken into account.

Non-earners (unemployed)

If you were unemployed at the time of the collision but able to work, you become eligible for an income benefit 180 days after the crash if you still can't work or perform activities of daily living because of your injuries.

However, you're entitled to receive an income benefit for the first 180 days if:

- You can prove you would've held employment during the first 180 days if not for the collision. The employment you would've held must be documented and guaranteed by the employer; or
- You lost Employment Insurance or National Training Act benefits.

Self-employed

If you're self-employed, you can choose one of the following income calculations to determine your income benefit:

- ninety per cent of net income as reported on your income tax returns, using calculations from the three years or 52 weeks immediately prior to the collision (net income is determined by deducting income tax and Canada Pension Plan contributions from your total (gross) income);
- a scheduled amount based on Saskatchewan income for your occupation and level of experience, limited to your gross income, with special consideration for business start-up situations; or
- actual and reasonable cost of a substitute worker, up to the yearly maximum amount shown on line 3 of the benefits table (page 26).

As well, you can choose to switch between an income benefit and a substitute worker benefit at any one point while receiving these benefits. Your Personal Injury Representative can help you decide which option is best for you.

If your business can't continue to run following the collision, calculation of your income benefit will be based on business income, plus certain fixed expenses. Fixed costs will be included for up to 12 months, after which time other arrangements for those costs should reasonably have been made.

Family enterprise

If you were working in a family enterprise for no pay at the time of the collision, and your injuries prevent you from performing your duties there, you're entitled to a benefit paying for a substitute worker. This benefit will be paid until you've recovered from your injuries and can return to your duties.

Substitute worker

If you choose the option of a substitute worker for the time that you're injured and unable to return to work, here's what you need to know:

- The seven-day waiting period applies.
- SGI will pay employer Canada Pension Plan and Employment Insurance premiums when there's proof payment of employee benefits has been made.
- Where the use of specialized equipment you own is involved, you may choose to hire a contractor that uses other equipment (such as custom combine operators) to perform the work. However, the cost of a contractor's equipment (which would've been used in any case) won't be reimbursed. Details of duties and hours worked must be provided.
- If your work varies seasonally, adjustments can be made to pay you up to the maximum annual benefit to which you're entitled in variable amounts and times, so you may hire more substitute workers to deal with increased work demands at different times during the year.

Seasonal earner

Your income benefit will be calculated based on 90 per cent of your net income at the time of the collision.

If you're still receiving an income benefit 180 days after your collision, your benefit will automatically be reassessed to accurately reflect your average wage for the two years prior to the collision. If you haven't worked in the two years prior to your collision, your income benefit will be reassessed using minimum wage or a scheduled amount based on average Saskatchewan income for your occupation and level of experience – whichever is greater.

Seniors

If you're older than age 65, an income benefit will be paid if you held employment at the time of the crash. The benefit will be calculated based on your employment at the time of collision (please refer to previous employment categories for information on income benefit calculations). It'll also be gradually reduced over the next four years.

If you're between the ages of 63 and 65 and are off work for at least 24 months because of your injuries, you'll receive a full income benefit for 24 months and then receive a pension benefit. Please see page 10 of this guide for more information on pension benefits, under Lump Sum Pension Benefits.

Caregivers

If you're a part-time earner or non-earner whose main occupation at the time of the collision was taking care of your children younger than age 16, or disabled adults who are regularly unable to work (for example, an elderly parent), you're eligible for a caregiver benefit to pay someone else to look after them.

The maximum amount payable is on line 4 of the benefits table (page 26).

Unless you're completely unable to care for your dependants, your caregiver benefit will be based on your actual expenses. The benefit may be reduced with changes in your circumstance, such as if the person in your care has become more capable of looking after themselves since your collision or your children have grown older and more self-reliant.

If you remain unable to provide care after 180 days, your caregiver benefit will be paid according to your choice of:

- actual and reasonable expenses, within limits; or
- minimum wage as long as you're unable to perform your activities of daily living.

After 180 days, you can choose to either continue to receive the caregiver benefit or receive an income benefit. If you receive an income benefit, you may also be entitled to receive a reduced caregiver benefit (see next page). Your Personal Injury Representative can help you decide which option is best for you.

Reduced caregiver benefit

If you work or study outside of the home and are also responsible for caregiving, you're eligible for a reduced caregiver benefit, in addition to your income benefit, provided your spouse is unavailable to care for the children and/or dependent adult(s) requiring your care.

The maximum amount payable is shown on line 4 of the benefits table (page 26). Receipts are required outlining who provided the care, when it was performed and what assistance was provided.

If you live with your spouse, you're eligible to receive this benefit if your spouse is unable to provide the care required because of illness, disability or absence due to work or studies outside the home.

Students

- A **student** attends an elementary, secondary or post-secondary educational institution on a full-time basis or is below school age.
- **Current studies** is a program of studies at the secondary or post-secondary level to which the student has been admitted on a full-time basis. Programs of study include high school, university (including post-graduate programs) and programs at recognized post-secondary technical colleges.

Loss of studies benefit

If you're a student, and unable to begin or continue your current studies because of the collision, you're entitled to a loss of studies benefit. The entitlement continues until your studies were scheduled for completion. If you can't work at the time your studies were scheduled for completion, you'll begin to receive an income benefit.

If you can't complete all of your classes, but do complete some, you'll receive a portion of the maximum loss of studies benefit – depending on the number of classes that couldn't be completed due to your injury. The benefit is payable per semester or year, to a maximum amount per year. For those less than age 16, the benefit continues until you reach age 16, when you'll begin to receive an income benefit if you can't work.

The amounts payable at each education level are shown on line 5 of the benefits table (page 26).

A payment will be provided for any scholarship income lost because of the collision. As well, payment will be made for any non-refundable book and tuition expenses for full-time and part-time students in a recognized program of study.

Student income benefit

If you held a job at the time of the collision in addition to your schooling, you're eligible to receive an income benefit in addition to the loss of studies benefit. You're also entitled to an income benefit if you're unable to hold employment you would've held, if not for the collision. You'll also receive this benefit if you've lost Employment Insurance or National Training Act benefits because of the collision.

The income benefit is based on the net income you were earning before the collision and covers 90 per cent of that net income. Net income is determined by deducting income tax, Employment Insurance contributions and Canada Pension Plan contributions from your total (gross) income. The maximum total (gross) income you can claim is shown on line 1 of the benefits table (page 26).

Students unable to work at completion of studies

If you're unable to hold employment due to your injuries at the end of secondary level studies (high school) or at age 16, you're entitled to an income benefit based on minimum wage, except if you're catastrophically injured.

If you're still unable to work one year after the end of secondary level studies or at age 16, the benefit will be based on the industrial average wage (the average weekly earnings of Saskatchewan employees calculated by Statistics Canada – shown on line 2 of the benefits table, page 26).

If you're a post-secondary student and are still unable to work at the end of your studies, you're entitled to an income benefit based on industrial average wage.

If you're catastrophically injured, the income benefit will be based on the industrial average wage at the end of your current studies or at age 16. A catastrophic injury could include quadriplegia, paraplegia, severe brain injury or total blindness.

Long-term injuries

Lump sum pension benefits

If you're off work for 24 consecutive months or more as a result of your collision-related injuries, you're eligible to receive a lump sum pension benefit – based on 10 per cent of your total income benefits. You can choose when you'd like to receive this benefit; either after you recover from your injuries, or at any time up to the age of 65. If you don't elect to receive your pension benefit earlier, it'll automatically be paid to you when you reach 65.

You'll qualify for this benefit up to age 65.

Residual earning capacity

After two years of rehabilitation, most injured people have significantly progressed in their recovery and many have returned to their former employment. Others will have recovered sufficiently to rejoin the workforce, although it may not be in the field they previously worked.

If, after two years of rehabilitation, your injuries still prevent you from returning to your former job, SGI will work with you to determine your residual earning capacity, which means what you can earn now.

While you may not be able to return to your old job, you may be qualified for a different job. SGI will work with you and consider your education, training and work experience, as well as your current abilities. If you've been in an approved rehabilitation program, any knowledge or skill you acquired through this program will also be considered in the type of employment that's determined with you.

This determination will be made after you're assessed by qualified health-care professionals who will help to determine what kind of occupation you may be able to perform.

The occupation must have available employment in the area where you live.

If your determined occupation pays less than your former job, SGI will pay you the difference between the income you earned at your former job and what you're able to earn now. Your income benefit will be adjusted accordingly when you find a new job or at one year following your evaluation.

Rehabilitation

We share a goal – your recovery

At SGI, our goal is to help you return to the way of life you had before your collision as fully as possible. Sometimes this happens in a matter of weeks. Sometimes it takes longer.

Your rehabilitation plan is flexible and will be designed by medical professionals to meet your specific needs, taking into account the circumstances that are unique to your situation. Your rehabilitation plan will be determined by medical professionals in consultation with your own practitioner and will be continued for as long as necessary.

SGI will compensate you for the time you're away from work to attend your treatment. If you have to travel, SGI will pay for mileage, accommodations and meals. The amounts payable are shown on lines 10, 11 and 12 of the benefits table (page 26).

However, SGI will cover costs only for treatments that are helping you. At some point, we may ask you to consult another caregiver or try a different treatment. This request would be made following advice from medical professionals. Your Personal Injury Representative will never direct your rehabilitation plan without advice from medical professionals.

The Early Intervention Program

To assist in your recovery, the Early Intervention Program has been established in conjunction with the major practitioner associations in Saskatchewan, such as the Saskatchewan Medical Association, the Saskatchewan Chiropractic Association and the Saskatchewan Physiotherapy Association. The program is based on the best medical information available and deals with the most common types of injuries. Here's how the program works:

Initial treatment

You choose who you would like to be your primary practitioner. You can designate a doctor, chiropractor or physiotherapist. Your designated primary practitioner will develop a treatment plan for your injuries and manage your rehabilitation plan. The plan should include a description of your injury, the type of treatment(s) being recommended and timelines for when the treatment(s) should be completed.

In most cases, initial treatment is sufficient to help an injured person recover. Initial treatment is care provided by a doctor, chiropractor, physiotherapist or massage therapist. In some cases, it may be supplemented with other treatments, such as a strengthening or conditioning program.

Secondary assessment

You may take longer to recover than expected. When this occurs, other assistance may be helpful.

If your injury hasn't improved significantly within four to six weeks after your collision, you may be referred to a Secondary Assessment Centre. These centres are located throughout Saskatchewan. During your secondary assessment, a doctor, a physiotherapist and a chiropractor will examine you. The secondary assessment team will look over your medical information to determine if the original diagnosis and/or treatment is still appropriate. The team will provide a report to you, your designated primary practitioner and your Personal Injury Representative outlining recommendations for your continued care.

Tertiary assessment

In some cases, the treatment you receive at the primary or secondary level may not be enough to help you recover from your injuries and return to your everyday life. If so, you may be referred to a Tertiary Centre. Tertiary Centres are located in Regina and Saskatoon. If you don't live in Regina or Saskatoon, SGI will pay for your travel and accommodation expenses.

Tertiary assessment is extensive. You'll be examined by a number of health care providers, which may include a doctor, physiotherapist, chiropractor, psychologist, exercise therapist, occupational therapist and vocational therapist. After the assessment, the team will meet with you and your Personal Injury Representative to discuss their findings and outline their recommendations. The recommendations could include coming back to the facility to attend a treatment program. The treatment program could last for a few weeks, or a few months, depending on the extent of your injury.

Your responsibilities

No Fault Coverage is designed to help you recover from your injuries to the fullest extent possible. The best way to achieve that goal is to co-operate fully with the rehabilitation plan proposed by your designated primary practitioner or secondary or tertiary treatment centre.

The level and speed of your recovery depends on regular attendance and full participation. If you're having trouble with your treatment plan, discuss your concerns with the treatment centre or your Personal Injury Representative. If you don't attend your treatment, or you don't participate fully, your benefits may be affected.

Attend all medical and rehabilitation appointments. If you can't attend an appointment due to an emergency, contact the assessment or treatment centre as soon as possible and they'll reschedule you. Failure to attend may affect your benefits, but more importantly, it may slow your recovery.

If you have questions about your treatment program, talk to your designated primary practitioner or your Personal Injury Representative. If you have questions about your rehabilitation benefits and responsibilities, please discuss them with your Personal Injury Representative.

Medical, travel and personal expenses

SGI will pay for expenses related to your collision and recovery up to the maximum amount shown on line 6 of the benefits table (page 26). This includes medical expenses incurred as a result of the collision, as well as other personal and travel expenses associated with your treatment and rehabilitation.

Medical costs

In most cases, SGI will pay your physiotherapist, massage therapist or chiropractor directly for your medical treatment so you don't have to worry about having cash on hand.

SGI will pay for approved expenses that result from your collision including things like:

- medical and paramedical care (includes things like ambulance transportation)
- expenses for transportation (mileage, bus fare, etc.) and accommodations (such as a hotel room) related to your medical treatment
- prescription medication
- braces and wheelchairs
- physiotherapy, chiropractic, dental services, etc.

If you need someone to accompany you to your appointments because of your age or physical or mental condition, SGI will reimburse that person for their transportation, accommodations and other expenses.

Travel costs

SGI will pay for your travel to and from medical appointments and treatments related to your collision. For the amount payable, see line 12 of the benefits table (page 26). If you need to take a taxi or bus to get to your appointment, just let your Personal Injury Representative know and he or she will arrange to pay for those costs. Your Personal Injury Representative can also provide you cash in advance to cover these costs so that you don't have to use your own money. If you have to pay for parking, please keep track of those costs so that your Personal Injury Representative can reimburse you.

Child care

If your main occupation is caregiver for your children, and you're unable to care for them while you're receiving treatment, SGI will pay for someone else to take care of them while you're away. Please contact your Personal Injury Representative if you need assistance.

Meals

If you have to travel to attend a medical appointment or treatment, SGI may pay for your meals while you're away. Please discuss your situation with your Personal Injury Representative to determine if you're eligible for this benefit. The amount payable is shown on line 10 of the benefits table (page 26).

Accommodations

If you must stay at a hotel while undergoing treatment, SGI will pay reasonable costs. Many hotels offer corporate rates. If you prefer to stay with a friend or relative, SGI will pay an amount per day. The amount payable is shown on line 11 of the benefits table (page 26).

Phone calls and television

If you're hospitalized or in a treatment facility because of your collision, SGI will reimburse you for your telephone and reasonable long distance calls. SGI will also reimburse you if you choose to order the in-room television service.

Cash advances

If you need money to pay for food, travel or accommodations while attending a treatment program, your Personal Injury Representative can arrange a cash advance.

Damaged clothing

SGI will pay to clean, repair or replace clothing damaged in the collision. The maximum amount payable appears on line 13 of the benefits table (page 26).

Financial counselling

If you're receiving a large payment for your injury, such as a permanent impairment payment, you may be eligible to have some costs of financial counselling covered. See line 14 of the benefits table (page 26) for the maximum amount payable.

Other rehabilitation expenses

If you have any expenses not covered by the above, please discuss them with your Personal Injury Representative.

Please note: If a treatment centre requires you to wear proper footwear, comfortable clothing, undergarments or swimwear, these costs are your responsibility.

Living assistance

If you're unable to perform activities of daily living because of your injuries, you may be eligible for living assistance coverage. SGI will reimburse the expense of hiring someone to take care of you if your injuries prevent you from taking care of yourself.

What are "activities of daily living?"

- Getting in and out of bed
- Getting dressed and undressed
- Bathing
- Preparing meals
- Eating
- Washing dishes
- Doing laundry
- Light cleaning and housekeeping
- Snow removal
- Shopping for groceries and household supplies

The amount SGI will cover for living assistance expenses depends on the type of assistance you need. The maximum amounts payable appear on line 7 of the benefits table (page 26).

If you're unsure whether or not you qualify for living assistance, please discuss it with your Personal Injury Representative. They are there to help you understand your benefits and to ensure you're receiving all the benefits to which you're entitled.

Permanent impairment payment

If you sustain a permanent impairment as a result of a motor vehicle collision, you may be entitled to a one-time, lump sum payment in addition to your other benefits. The permanent impairment could involve injury or weakness to your body or one of your organs. It can be an observable disfigurement or a permanent, measurable reduction of physical or mental function.

Here are a few examples:

- scarring
- loss of vision or hearing
- paraplegia
- back compression fracture
- loss of a limb

Soft tissue injuries such as whiplash aren't considered a permanent impairment.

Who decides?

The extent of your impairment and the corresponding level of benefits are determined by SGI's medical consultants, using information provided by your caregivers.

Permanent impairment amounts

The more serious an impairment, the greater the permanent impairment payment will be. Each type of impairment is assigned a percentage value with the most serious impairments receiving the highest percentages. The amount of the permanent impairment payment is calculated by multiplying the percentage by the maximum amount payable.

A higher payment is made to those who suffer a catastrophic injury, which could include quadriplegia, paraplegia, severe brain injury, total blindness, complete loss of two limbs, as well as combinations of those impairments. The maximum amount payable for catastrophic injuries appears on line 8 of the benefits table (page 26). The maximum amount payable for all other permanent impairment injuries appears on line 9 of the benefits table (page 26).

Timing of payment

The payment will be made in a lump sum once the extent of your impairment has been established. The amount will be determined when your injuries have had a chance to heal so that your doctor can assess the exact extent of the permanent impairment.

Death benefits

SGI will pay a death benefit to the surviving spouse and dependent children of a person who has died as a result of a motor vehicle collision.

Please complete a Death Benefits Application form and submit it with: a physician's report of death, autopsy report or funeral director's certificate of death. Your Personal Injury Representative can help you through this process.

Funeral expenses

SGI provides a payment to the deceased's estate for funeral expenses. Receipts aren't necessary. The amount payable is shown on line 18 of the benefits table (page 26).

Counselling

We understand that the loss of a loved one is a very difficult time for family members. SGI provides counselling benefits to aid family members. If you have any questions about the following benefits or would like more information on how to find a counsellor, your Personal Injury Representative can help.

SGI will pay the costs of grief counselling for the immediate family members of a person who was killed as a result of a motor vehicle collision. The maximum amount payable is shown on line 21 of the benefits table (page 26).

A career counselling benefit is available for the dependent spouse of a deceased person. See line 20 of the benefits table (page 26) for the maximum amount payable for vocational counselling.

SGI will pay the costs of financial counselling for anyone receiving a significant death benefit. This counselling can help you decide what kind of death benefit to opt for – a lump sum payment or payments every two weeks on a long-term basis. See line 14 of the benefits table (page 26) for the maximum amount payable.

Spousal death benefits

Who qualifies for a spousal death benefit?

A person will receive a spousal death benefit if, at the time of the collision, they were:

- legally married to the deceased
- living common-law for at least two years with the deceased
- living common-law for at least one year with the deceased and had a child with the deceased
- an ex-spouse eligible for spousal support from the deceased

There may be more than one person who's entitled to a death benefit as a surviving spouse. Each eligible surviving spouse is entitled to receive a full spousal benefit. The benefit isn't divided among the eligible individuals.

A spouse isn't eligible for a death benefit if they have been separated from the deceased for one year or longer before the collision and isn't eligible for spousal support payments from the deceased.

A surviving spouse may receive three types of benefits:

1. **Spousal benefit**
2. **Dependant benefit**
3. **Education benefit**

1. Spousal benefit

A surviving spouse is entitled to a death benefit equal to 50 per cent of the weekly income benefit the deceased would've been entitled if they had survived. This benefit may be paid every two weeks for the lifetime of the surviving spouse. The minimum amount payable (in cases where the deceased was a low-income or non-earner) is shown on line 15 of the benefits table (page 26).

You may, within five years of the date of the collision, choose to have this benefit paid out as a lump sum. Your Personal Injury Representative will provide you with a lump sum figure and explain how it was calculated.

You may wish to seek the advice of a qualified financial advisor before deciding whether to opt for a lump sum payment or continue receiving payments every two weeks. SGI may pay the costs of financial counselling to help you make this decision.

2. Dependant benefit

A surviving spouse is entitled to an additional benefit when there are children younger than age 21 who were dependent on the deceased or when there's a disabled dependant older than age 21. A surviving spouse is entitled to an additional five per cent of the deceased's income benefit for each dependent child. This benefit is paid until the child reaches age 21. The lump sum option is also available in these situations.

At a minimum, the spouse will be paid the amount recommended by the federal government for support payments from a minimum wage earning parent.

3. Education benefit

A spouse may be entitled to an education benefit.

This benefit is intended to assist people who wish to return to school after the loss of their spouse (or former spouse) to achieve a greater degree of independence and financial stability. The benefit will cover the essential costs of attending school, such as tuition, books and materials, along with child care.

Requests for an education benefit must be made within five years of the date of the collision. The maximum amount payable is shown on line 19 of the benefits table (page 26).

Dependant benefits

A dependant is a:

- child of the deceased who was younger than age 21 at the time of the collision; or
- mentally or physically disabled person older than age 21 who was dependent on the deceased.

In cases where both parents (or the sole parent) are killed in a motor vehicle collision, SGI provides the surviving children with the same level of benefits a surviving spouse would've received, until age 21 (see line 15 of the table of benefits on page 26 for the minimum amount payable). In cases where the surviving dependant is a mentally or physically disabled person older than age 21, benefits are also provided.

Any dependant who receives the bi-weekly surviving spouse death benefit may, within five years of the date of the collision, choose to have this benefit paid out as a lump sum. Your Personal Injury Representative will provide you with a lump sum figure and explain how it was calculated.

You may wish to seek the advice of a qualified financial advisor before deciding whether to opt for a lump sum payment or continue receiving payments every two weeks. SGI may pay the costs of financial counselling. The maximum amount payable appears on line 14 of the benefits table (page 26).

Death benefits – deceased child

If a person younger than the age of 21 with no spouse or dependants is killed in a motor vehicle collision, a lump sum amount will be paid to his or her estate. The amount payable is shown on line 17 of the benefits table (page 26).

Death benefits – no dependants

If the deceased person has no surviving spouse or dependants, but has surviving parents or children older than age 21, each of those survivors is entitled to a lump sum payment. The payment amount depends on the number of survivors. The maximum amount payable per survivor is shown on line 16 of the benefits table (page 26). The maximum total amount payable to be split among survivors is shown on line 16 of the benefits table (page 26). Your Personal Injury Representative can explain how the amount was calculated.

If the deceased person doesn't leave any surviving dependants and has no children older than age 21 or no surviving parents, the estate will receive a lump sum payment. The amount payable is shown on line 16 of the benefits table (page 26).

The appeal process

If you're not satisfied with a decision made by SGI with respect to your benefits, there are steps you can take to have your concerns addressed.

The first thing you should do is make sure your Personal Injury Representative has all the necessary information so they're clear on the facts surrounding your claim. If this doesn't help, you can ask your Personal Injury Representative to have their supervisor call you. Hopefully the matter can be cleared up with a phone call or appointment.

If the supervisor is unable to resolve the issue, these are the options available to you. Please note that nominal fees are payable.

- You can either choose to attend mediation or go directly to either the Automobile Injury Appeal Commission or to the Court of Queen's Bench.
- You can't appeal to both the Automobile Injury Appeal Commission and the Court of Queen's Bench. You must choose one or the other.
- If you attend mediation, and you're not satisfied with the outcome, you can still pursue one of the other options. For example, you can go to mediation and then go to the Automobile Injury Appeal Commission or go to mediation, then the Court of Queen's Bench.

If you choose the Automobile Injury Appeal Commission, please call 798-5545 in Regina, or toll free at 1-866-798-5544 for more information on this process.

If you choose to appeal to the Court of Queen's Bench, you'll have to file a statement of claim. You may wish to obtain legal representation to help you with this.

It's important to note that decisions made by the Automobile Injury Appeal Commission and the Court of Queen's Bench are binding for both you and SGI. Only when there's a question of law can you appeal the decision to the Saskatchewan Court of Appeal.

If you choose mediation, an outside mediator – agreed upon by you and SGI – will meet with you and SGI. You can have a representative present at the mediation. Both sides may outline their views to the mediator.

Application for Injury Benefits

You're about to make a claim for benefits as a result of injuries sustained in a motor vehicle collision. We want to make sure you receive all the benefits to which you're entitled, as well as timely and effective treatment. To do this, we require the detailed information that you're asked to provide in the Application for Injury Benefits form.

SGI assures that all personal information provided in the Application for Injury Benefits, as well as any information gathered later, will remain confidential. The information you're asked to provide is necessary to assist your Personal Injury Representative in determining and providing all benefits to which you're entitled.

You have two years from the date of your collision to file an injury claim.

Please fill out the Application for Injury Benefits form to the best of your ability. If you have any questions, please contact your Personal Injury Representative.

If you're entitled to an income benefit, you'll be asked to complete an Application for Injury Benefits for Income Benefits. The form asks specific questions related to your work and work history. Please see page 24 of this guide for details on how to fill out the Application for Injury Benefits – Income Loss form.

Cover page
Please fill in all areas that haven't been completed by your Personal Injury Representative. Your claim number and the name of your Personal Injury Representative will be entered by your Representative.

Personal Information

Question 1
Your current and mailing address (if different) will be used for correspondence and so your Representative can visit you at home, if required.

Question 2
Your home, work and other telephone contact numbers allow us to call to discuss progress on your recovery, make appointments, etc.

Question 3
SGI needs your Saskatchewan Health card number to obtain reports, such as hospital records.

Question 4
Your date of birth is used to determine certain benefits and for statistical purposes.

Question 5
This question helps us determine your entitlement to benefits as a Saskatchewan resident.

Question 6
Information about dependants helps us determine whether or not you're eligible for a caregiver benefit. It also helps us in calculating income benefits.

Question 7
This information helps us to determine whether SGI or the Workers' Compensation Board should be attending to your claim.

Question 8
This information helps determine if additional benefits may be payable through an auto extension (package) policy. Your Personal Injury Representative will suggest you speak to your broker.

Collision circumstances

Question 1
This information helps us understand your injuries.

Question 2
This information is required to determine the circumstances of the collision.

Question 3
This information assists us in understanding your injury.

Question 4
If an individual is injured in a motor vehicle collision, **it must by law be reported to police**. If you haven't yet taken this step, your Personal Injury Representative will ask you to do so.

Question 5
This information helps your Representative find out more information about the collision and the other parties involved in the collision.

Questions 6 to 9
Driver, owner and vehicle information is required to verify all vehicles involved in the collision. This information also allows your Representative to determine liability, should it become an issue in any benefit entitlement.

Question 10
A good description of the collision will help your Representative understand how the crash occurred and how you may have been injured.

About your injuries

Question 1
This information helps determine the extent of injuries sustained in the collision.

Question 2
This information helps your Representative become familiar with injuries you may have sustained, as well as the location of the injury and pain you may be experiencing.

Question 3
This information helps your Representative to further understand your injury.

Question 4
This information is needed so that your Representative can understand what occurred after the collision and be aware of additional costs that SGI may pay on your behalf (e.g. ambulance bills).

Question 5
We need to know who your caregivers are and any treatment you've taken to date so we can administer your benefits. Reports may be requested from the caregivers you identify.

Question 6
This information helps your Representative ensure you're reimbursed for any of these items damaged in the collision.

Questions 7, 8 and 9
This information helps your Representative understand what injuries you suffered and any other problems you may not have identified because of other more serious problems.

Question 10
This information helps your Representative determine if benefits are payable for the impact of injuries on your daily activities.

Questions 11 and 12
This information lets your Representative know if you had injuries previous to the ones sustained in the collision and whether that injury was affecting you at the time of this collision.

About your health

Questions 1 to 5
The information about your prior health helps your caregiver determine what type of treatment plan should be developed.

About your work

Question 1
This information helps your Representative understand the status of your employment, as you may be entitled to benefits for income loss. The information will allow the Representative to identify what documentation will be required to determine the amount of benefits.

Question 2
This information will allow your Representative to determine if you're entitled to receive an income benefit. If so, your Representative will need you to complete an Application for Injury Benefits – Income Loss.

Student information

Questions 1 and 2
Your Representative will use this information to determine if you're entitled to student benefits.

Designated primary practitioner

This information is needed so we know whom you've chosen to be in charge of your treatment.

The final page is a release allowing SGI to obtain medical and other information necessary with respect to your claim. It's very important for you to read and understand. After you've read the page, it must be dated and signed in the spaces provided, in the presence of a witness. The witness can be your personal injury representative.

If you have any questions about the final page of the Application for Injury Benefits or any other aspect of the form, please speak to your Personal Injury Representative.

Application for Injury Benefits – Income loss

Cover page
Please fill in all areas that haven't been completed by your Personal Injury Representative. Your injury claim number and the name of your Personal Injury Representative will be entered by your Representative.

Work status

Question 1
This information helps your Representative decide what documentation to request from you to ensure you receive the type and amount of benefit for income loss to which you're entitled.

Employment

Questions 1 to 6
Your Representative needs to know who's your main employer and how to contact them if required. Your Representative may be contacting your employer to help calculate your benefit or to seek help in a return-to-work program.

Other employment

Questions 1 to 6
Your Representative needs details of any other employment in addition to your main employment to ensure your benefit reflects all your employment income.

Other employment income

Question 1
You may be entitled to receive injury benefits if your injuries prevent you from collecting Employment Insurance or National Training Act benefits. The information helps your Representative find out if this is the case.

Tax information

Questions 1 to 7
Payment of income benefits is made after deductions are applied for income tax, Canada Pension Plan premiums and Employment Insurance premiums. The information requested provides details of your tax status for calculation of your income benefit. (For more information on income benefits, see pages 5 to 10 of this guide.)

IMPORTANT

This page gives you details of what you must provide to your Representative to have your income benefit calculated.

The final page is a release allowing SGI to obtain medical and other information necessary with respect to your claim. It's very important for you to read and understand. After you've read the page, it must be dated and signed in the spaces provided, in the presence of a witness. The witness can be your personal injury representative.

If you have any questions about the final page of the Application for Injury Benefits – Income Loss or any other aspect of the form, please speak to your Personal Injury Representative.

Telephone numbers

For general information about your No Fault Coverage, please call toll free: 1-800-667-9868.

For more information on filing your claim, please call the nearest office:

	toll free	local
Estevan	1-800-667-9773	637-4100
Kindersley	1-800-667-9778	463-5270
Lloydminster	1-800-667-8588	825-8200
Meadow Lake	1-800-667-4497	236-2500
Moose Jaw	1-800-667-5103	691-4500
North Battleford	1-800-667-1384	446-1900
Prince Albert	1-800-667-9324	953-8000
Regina	1-800-667-8015	751-1860
Saskatoon	1-888-468-8868	683-2371
Swift Current	1-800-667-7414	778-4900
Tisdale	1-800-667-5030	878-3600
Weyburn	1-800-667-9774	848-4300
Yorkton	1-800-667-1480	786-2430

Table of benefits

To determine the amount of the benefit you may be entitled to receive, refer to the appropriate section of this guide.

LINE	BENEFIT		AMOUNT
	Income benefits		
1	Maximum Insurable Earnings	(annual income)	$ 76,533
2	Industrial Average Wage	(annual income)	41,388
3	Substitute Worker	(maximum per year)	39,624
4	Caregivers		
	Full	(maximum per week)	762
	Reduced	(maximum per week)	382
5	Loss of Studies for Students		
	Elementary	(maximum per year)	4,844
	Secondary	(maximum per year)	8,998
	Post-Secondary	(maximum per year)	17,996
	Medical and rehabilitation benefits		
6	Medical and Rehabilitation Costs	(maximum)	6,037,979
7	Living Assistance		
	Functional	(maximum per week)	762
	Cognitive	(maximum per week)	382
	Permanent impairment benefits		
8	Catastrophic Injuries	(maximum)	211,330
9	Other Permanent Injuries	(maximum)	173,026
	Expenses		
10	Meal Allowance		
	Breakfast	(per day)	8.40
	Lunch	(per day)	11.85
	Dinner	(per day)	14.50
11	Private Accommodation	(per day)	21
12	Travel by Automobile	(per kilometre)	.38
13	Clean, Repair, Replace Clothing	(maximum)	1,385
14	Financial Counselling	(maximum)	1,208
	Death benefits		
15	Spouse/Dependants	(minimum)	$ 62,291
16	No Dependants	(maximum per survivor/estate)	13,841
		(maximum total payable)	62,291
17	Less than 21 years old No Dependants		27,682
18	Funeral Benefit		9,057
19	Spouse Education	(maximum)	41,527
20	Vocational Counselling	(maximum)	604
21	Grief Counselling	(maximum)	1,208

Notes

DISCLAIMER

This document is intended to provide general information on vehicle plate insurance coverage offered by SGI. Nothing in this document is intended to provide legal advice or to be relied upon as binding in any dispute, claim, action, demand or proceeding.

THIS INFORMATION IS SUBJECT TO CHANGE. The terms and conditions of the insurance coverage offered by SGI are set out in *The Automobile Accident Insurance Act* and the following regulations: The Automobile Accident Insurance (General) Regulations, The Personal Injury Benefit Regulations and The Automobile Accident Insurance (Injury) Regulations and are available from the Queen's Printer. Any changes to the insurance coverage in Saskatchewan will be set out in those documents. These documents should be consulted to determine your rights and obligations at law.

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